

## UNITED STATES DISTRICT COURT

for the

Middle District of Tennessee

Cracker Barri Old Country Store, Inc.,	)	
	)	
v.	)	Case No.: 3-07-0303
Cincinnati Insurance Company and Houston	)	
Casualty Company	)	

## BILL OF COSTS

Judgment having been entered in the above entitled action on 09/16/2011 against Cracker Barrel,  
*Date*  
the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$	30.00
Fees for service of summons and subpoena .....		
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case .....		10,103.12
Fees and disbursements for printing .....		
Fees for witnesses ( <i>itemize on page two</i> ) .....		0.00
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case. ....		913.95
Docket fees under 28 U.S.C. 1923 .....		20.00
Costs as shown on Mandate of Court of Appeals .....		
Compensation of court-appointed experts .....		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....		
Other costs ( <i>please itemize</i> ) .....		
	TOTAL	\$ 11,067.07

**SPECIAL NOTE:** Attach to your bill an itemization and documentation for requested costs in all categories.

## Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other:

s/ Attorney:

Nancy K. TordaiName of Attorney: Nancy K. TordaiFor: The Cincinnati Insurance Company*Name of Claiming Party*Date: 10/20/2011

## Taxation of Costs

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

By: \_\_\_\_\_

*Clerk of Court**Deputy Clerk**Date*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Cincinnati Insurance Company's Bill of Costs was served via the Court's ECF filing on this 20<sup>th</sup> day of October, 2011, to:

**COUNSEL FOR CRACKER BARREL:**

William Gorman Passannante  
Cort Malone  
Anderson Kill & Olick, P.C.  
1251 Avenue of the Americas  
New York, NY 10020-1000  
[wpassannante@andersonkill.com](mailto:wpassannante@andersonkill.com)  
[cmalone@andersonkill.com](mailto:cmalone@andersonkill.com)

John A. Day (ECF only)  
Day & Blair, PC  
5300 Maryland Way, Suite 300  
Brentwood, TN 37027  
[jday@dayblair.com](mailto:jday@dayblair.com)

/s/ Nancy K. Tordai



# Statement of Account

## Document Services

Your A/R Administrator

Connie Palmer

(866) 233-4713 Ext: 8120

cpalmer@ikon.com

L05HANP

HANSON, PETERS & NYE

ATTN: ACCOUNTS PAYABLE

1000 HART RD STE 300

BARRINGTON IL 60010

Statement Date: 01/31/2008

Customer ID: L05HANP

**Balance Due: \$913.95**

FEDERAL TAX ID: 23-0334400

**PAYMENT TERMS = NET 10 DAYS  
(FROM INVOICE DATE)**

To arrange for payment with a Credit Card: American Express,  
MasterCard and Visa, please call the telephone number above.

**Please Remit To:**

IKON Office Solutions

Great Lakes District

1600 Solutions Center

Chicago, IL 60677-1006

### ACCOUNT AGING

Current	1-30 / Past Due	31-60 / Past Due	61-90 / Past Due	Over 90 / Past Due
\$0.00	\$913.95	\$0.00	\$0.00	\$0.00

Inv Date	Due Date	Invoice #	Code	Reference	Contact	Amount
01/17/2008	01/27/2008	L0508010218	I	101717	BETH VELATIN	\$913.95
Balance Due						<b>\$913.95</b>

CODES: I=Invoice P=Payment C=Cr Memo D=Db Memo

For Invoice copies or any questions regarding your account, please contact your A/R Administrator  
at the phone number or E-mail address listed above. THANK YOU.

**HANSON PETERS NYE**  
1000 HART ROAD, SUITE 300  
BARRINGTON, IL 60010

**JPMORGAN CHASE BANK, N.A.**  
CHICAGO, ILLINOIS 60670  
WWW.CHASE.COM

11495

2-1-710

7/3/2007

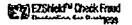
PAY TO THE ORDER OF Clerk of Court

\$\*\*30.00

Thirty and 00/100\*\*\*\*\*

DOLLARS

Clerk of Court

 EZCheck® Check Fraud  
Security Features Included

MEMO HPN #101717/Pro Hac Vice/ NKT & VCP

Clerk of Court

HPN #101717/Pro Hac Vice/ NKT & VCP

7/3/2007

11495  
30.00

1000

HPN #101717/Pro Hac Vice/ NKT & VCP

30.00

Clerk of Court

HPN #101717/Pro Hac Vice/ NKT & VCP

7/3/2007

11495  
30.00

1000

HPN #101717/Pro Hac Vice/ NKT & VCP

30.00



*101717*  
*12-13-10*

**Veritext/New York Reporting Co.**

200 Old Country Road , Suite 580  
Mineola, NY 11501  
Tel. (516) 608-2400 Fax. (516) 608-2450

**Bill To:**

Hanson Peters Nye  
1000 Hart Road, Suite 300  
Barrington, IL 60010

**Remit To:**

Veritext/New York Reporting Co.  
200 Old Country Rd.  
#580  
Mineola, NY 11501

*Robert*

**Statement of Account**

For questions regarding this statement please call Jude Maringo at (516) 608-2482

Statement Date: 12/2/2010				Page 1 of 1		Total Balance Due: \$2,254.00	
Inv #	Invoice Date	Job #	Job Date	Caption	Contact	Aged (Days)	Balance Due
NY361287	11/29/10	272394	11/19/10	Cracker Barrel Old C vs Cincinnati Insurance	Nancy K. Tordei, Esq.	3	\$2,254.00
						<b>TOTAL:</b>	<b>\$2,254.00</b>

Current	31-60 Days	61-90 days	>90 days	Total
\$ 2,254.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 2,254.00

Make check payable to:

Veritext/New York Reporting Co.  
200 Old Country Rd.  
#580  
Mineola, NY 11501

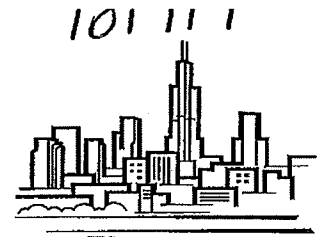
VISA, MASTERCARD &  
AMERICAN EXPRESS ACCEPTED

Fed. Tax ID: 20-3132569

TERMS: Payable upon receipt. Accounts 30 days past due will bear a finance charge of 1.5% per month. Accounts unpaid after 90 days agree to pay all collection costs, including reasonable attorney's fees.  
Contact us to correct payment errors. No adjustments or refunds will be made after 90 days.

# SONNTAG REPORTING SERVICE Ltd.

CHICAGO • GENEVA • ST. CHARLES • WHEATON



*File  
6-8-10*

INVOICE

To:

Ms. Nancy Tordai  
Hanson Peters & Nye \*\*\*\*\*  
Suite 300  
1000 Hart Road  
Barrington, IL 60010

Invoice No. : 78628  
Inv. Date : 05/24/2010  
Job Date : 05/12/2010  
Job No. : 58077  
Reporter : JEE  
Firm Code: HANSPE00  
Ref. No.:  
Tax ID # : 36-2778613  
Shipped : 05/24/2010

Caption: 3-07-303

CRACKER BARREL OLD COUNTRY STORE, INC.

CINCINNATI INSURANCE COMPANY and  
HOUSTON CASUALTY COMPANY

DESCRIPTION		QTY	PAGES	RATE	AMOUNT
John Kuenstler	ORIGINAL TRANSCRIPT	1	67	3.85	257.95
	Attendance				177.50
	WORD INDEX-NO CHARGE				0.00
	E-TRANSCRIPT				15.00
	S & H FEDERAL EXPRESS				9.00
	TRAVEL CREDIT				-52.50
Total Amount Due					406.95
					=====

Deduct 5% if paid by 06/23/2010



P.O. Box 147 • Geneva, IL 60134  
800.232.0265 • Fax 630.232.4999  
sonntagreporting.com • We accept





Esquire - New York City  
2700 Centennial Tower  
101 Marietta Street  
Atlanta, GA 30303



**ESQUIRE**  
an Alexander Gallo Company

*Postd  
11/24/09*

101717  
Telephone (212) 687-8010  
Toll Free (800) 944-9454  
Fax (866) 590-3205

www.esquiresolutions.com

# **Invoice # EQ95162**

Invoice Date	Terms
11/12/2009	NET 30

Date of Loss	
Name of Insured	
Adjustor	
Claim Number	

NANCY TORDAI ,ESQ.  
HANSON, PETERS & NYE  
SUITE 300  
1000 HART ROAD  
BARRINGTON, IL 60010

Assignment	Case	Assignment #	Shipped	Shipped Via
11/04/2009	CRACKER BARREL STORE vs. CINCINNATI	304750	11/09/2009	E-MAIL

Description	Price	Qty	Amount
-------------	-------	-----	--------

Services Provided on 11/04/2009, DAVID KOON

ONE CERTIFIED TRANSCRIPT/WORD INDEX (207 Pages)

\$ 6.25	207.00	\$ 1,293.75
		\$ 1,293.75

*We appreciate your business*

*Attorney is responsible for payment of all charges incurred*

*Payment due in 30 days*

*PLEASE NOTE: THE ABOVE AMOUNT REFLECTS A 4-DAY EXPEDITED RATE.*

Tax: \$ 0.00

Amount Due: \$ 1,293.75

Paid: \$ 0.00

Balance Due:	\$ 1,293.75
Payment Due:	12/12/2009

**Tax Number: 22-3779684**

**After 12/27/2009 Pay This Amount: \$ 1,423.13**



Esquire - New York City  
2700 Centennial Tower  
101 Marietta Street  
Atlanta, GA 30303



**ESQUIRE**  
an Alexander Gallo Company

*Ref'd  
1/2/10*

101117

Telephone (212) 687-8010  
Toll Free (800) 944-9454  
Fax (866) 590-3205

www.esquireolutions.com

**Invoice # EQ95166**

Invoice Date	Terms
11/12/2009	NET 30

Date of Loss	
Name of Insured	
Adjustor	
Claim Number	

NANCY TORDAI, ESQ.  
HANSON, PETERS & NYE  
SUITE 300  
1000 HART ROAD  
BARRINGTON, IL 60010

Assignment	Case	Assignment #	Shipped	Shipped Via
11/05/2009	CRACKER BARREL STORE vs. CINCINNATI	304751	11/09/2009	E-MAIL

Description	Price	Qty	Amount
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Services Provided on 11/05/2009, DENNIS STETZ

ONE CERTIFIED TRANSCRIPT/WORD INDEX (267 Pages)

\$ 6.50      267.00      \$ 1,735.50  
\$ 1,735.50

We appreciate your business  
Attorney is responsible for payment of all charges incurred  
Payment due in 30 days  
PLEASE NOTE: THE ABOVE AMOUNT REFLECTS A 2-DAY EXPEDITED RATE.

Tax: \$ 0.00  
Amount Due: \$ 1,735.50  
Paid: \$ 0.00

Balance Due :	\$ 1,735.50
Payment Due:	12/12/2009

Tax Number: 22-3779684

After 12/27/2009 Pay This Amount: \$ 1,909.05



**Beres & Associates**  
230 Fourth Avenue North, Suite 503  
Post Office Box 190461  
Nashville, TN 37219-0461

Refd.  
6/15/09

101717  
**Invoice**

Date 6/1/2009  
Invoice # 2091

**Bill To**

Ms. Nancy Tordai  
Attorney at Law  
1000 Hart Road  
Suite 300  
Barrington, IL 60010

Description	Amount
CRACKER BARREL OLD COUNTRY STORE, INC. V CINCINNATI INSURANCE COMPANY and HOUSTON CASUALTY COMPANY - MAY 27, 2009 - DEPOSITION OF STEVE HECKLE	
Per Diem	100.00
Original of Deposition - Expedited	450.00
E-Transcript	25.00
Postage	6.00

Please make check payable to Trine M. Mitchell. Thank you for  
your business!

**Total** \$581.00

**Beres & Associates**

1-615-742-2550  
1-615-742-2551



**ESQUIRE**  
 Esquire - New York City  
 2700 Centennial Tower  
 101 Marietta Street  
 Atlanta, GA 30303



*Handwritten:* 6/15/09

*Handwritten:* 101111

Telephone (212) 687-8010  
 Toll Free (800) 944-9454  
 Fax (866) 590-3205

www.esquiresolutions.com

**Invoice # EQ89491**

Invoice Date	Terms
05/15/2009	NET 30

Date of Loss	
Name of Insured	
Adjustor	
Claim Number	

NANCY TORDAI, ESQ.  
 HANSON, PETERS & NYE  
 SUITE 300, 1000 HART ROAD  
 BARRINGTON, IL 60010

Assignment	Case	EQ File	Shipped	Shipped Via
05/06/2009	CRACKER BARREL STORE vs. CINCINNATI	11812	05/15/2009	F-S-O

Description	Price	Qty	Amount
Original Transcript of HARDIN KIMMEL			
ORIGINAL AND ONE COPY (152 Pages)	\$ 5.75	1.00	\$ 874.00
EXPEDITE SURCHARGE (152 Units)	\$ 2.25	1.00	\$ 342.00
APPEARANCE FEE-FULL DAY	\$ 110.00	1.00	\$ 110.00
LITIGATION SUPPORT CD-ROM	\$ 50.00	1.00	\$ 50.00
CONDENSED TRANSCRIPT	\$ 30.00	1.00	\$ 30.00
ROUGH DISK FEE	\$ 212.85	1.00	\$ 212.85
			<u>\$ 1,618.85</u>

**CONTINUED ON NEXT PAGE ...**

**Tax Number: 22-3779684**